

strict Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, more or less, of tomato catsup, at Chicago, Ill., alleging that the article had been shipped by the Sterling Products Co., Evansville, Ind., September 25, 1918, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 19, 1921, Brodsky, Gross & Co., Chicago, Ill., having entered an appearance as claimant and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. It was further ordered that upon payment of the costs of the proceedings the containers in which the product was shipped be delivered to said claimant.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9419. Adulteration of Polk's Best Catsup. U. S. * * * v. 40 Cases * * * of Catsup. Decree of court releasing product to claimant for separation of good catsup from bad, if possible. (F. & D. No. 14656. I. S. No. 1662-t. S. No. C-2887.)

On or about March 24, 1921, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of catsup, remaining unsold in the original unbroken packages at Oklahoma City, Okla., consigned by the J. T. Polk Co., Chicago, Ill., alleging that the article had been shipped on or about November 13, 1920, and transported from the State of Illinois into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Polk's Best Catsup J. T. Polk Company * * * Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On May 11, 1921, the case having come on for hearing and it appearing to the court that a portion of the article might be sound and fit for consumption, it was ordered that the product be forfeited and confiscated to the United States, and further provided that the same might be released to the J. T. Polk Co., Chicago, Ill., upon execution of bond, in conformity with section 10 of the act, in the sum of \$1,000, and the payment of the costs of the proceedings, said bond to be conditioned in part that said claimant make a further examination and proper test under the supervision of this department to determine what portion of the product, if any, should be permitted again to be transported in interstate commerce and sold, and it was further ordered that such portion of the article as was found to be unfit for consumption be destroyed.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9420. Adulteration and misbranding of acetylsalicylic acid tablets. U. S. * * * v. 16,000 * * * Acetylsalicylic Acid Tablets. Default decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 464-c. I. S. No. 11451-r.)

On April 1, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Assistant Health Commissioner of said State, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16,000, more or less, acetylsalicylic acid tablets, remaining unsold in the original unbroken packages at Oklahoma City,

Okl., alleging that the article had been shipped on or about December 19, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was invoiced as 5-grain Vera-aspirin (Acetylsalicylic Acid) Tablets, and labeled as follows: "1,000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin' Verandah Chemical Co., Verandah Place, Brooklyn, N. Y."

Adulteration of the article was alleged in substance in the libel for the reason that salicylic acid had been mixed and packed with the contents thereof so that its strength and purity fell below the professed standard of quality under which it was sold.

Misbranding was alleged for the reason that the package containing the article, as so labeled, contained statements regarding the article [and] of the ingredients or substances contained therein which were false and misleading in that the tablets did not contain acetylsalicylic acid, and for the further reason that said article was an imitation of, and offered for sale under the name of, another article, to wit, acetylsalicylic acid.

On June 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9421. Adulteration and misbranding of vinegar. U. S. * * * v. 4 Cases and 16 Bottles of Vinegar * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 598-c.)

On April 23, 1921, the United States attorney for the District of Maine, acting upon a report by the Chief Food and Drug Inspector of the State of Maine, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases and 16 bottles of vinegar, remaining in the original unbroken packages at Augusta, Me., alleging that the article had been shipped on or about July 20, 1920, from Cohocton, N. Y., and transported from the State of New York into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "C. C. C. Brand Cascade Cider Co. * * * Net Contents 16 Fl. Oz. * * * Reduced with water to 4% Acetic Acid, Springville, N. Y. Reduced Cider Vinegar made from Apples Fermented."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar had been mixed and packed with, and substituted wholly or in part for, reduced cider vinegar made from apples fermented, and for the further reason that said product was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement appearing on the label, to wit, "C. C. C. Brand Cider Vinegar made from Apples Fermented, Net Contents 16 Fl. Oz. Cascade Cider Co." (design showing red apple), was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement appearing was incorrect and not in correct form.

On May 23, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY,

Acting Secretary of Agriculture.